

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Julio Cesar Moreira

Cr.: 02-00629-001

Name of Sentencing Judicial Officer: The Honorable Joel A. Pisano

Date of Original Sentence: 01-23-03

Original Offense: Importation of Heroin

Original Sentence: 52 months imprisonment; 5 years supervised release

Type of Supervision: Supervised Release

RECEIVED

SEP 5 2006

AT 8:30

WILLIAM J. WALSH
CLERK

Date Supervision Commenced: 04-17-05

Assistant U.S. Attorney: Sarah Coyne

Defense Attorney: David Holman

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On November 30, 2005, when the offender was arrested by Rockaway Township Police on a traffic warrant that predates the supervised release term, he was charged with possessing and displaying as identification a fictitious Social Security card. On February 8, 2006, in the Rockaway Township Municipal Court, the offender was convicted of one count of unsworn falsification (in violation of NJ Criminal Code 2C:28-3b(3)). A fine of \$500 was imposed, as were costs and other fees.

On May 22, 2006, the offender was arrested by the Mansfield Township Police Department and charged with possessing less than 50 grams of marijuana inside a motor vehicle. On the same date, he appeared in the Mansfield Municipal Court and was found guilty of one count of possession of marijuana (in violation of NJ Criminal Code 2c:35-10a). His license was revoked for six months and a \$500 DEDR penalty and \$300 fine were imposed, as were court costs and other fees and penalties.

- 2 The offender has violated the supervision condition which states **'You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.'**

The offender failed to notify the probation officer within 72 hours of being arrested and questioned by law enforcement officers on November 30, 2005, in Rockaway Township, New Jersey, and on May 22, 2006, in Mansfield Township, New Jersey.

- 3 The offender has violated the supervision condition which states **'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'**

On February 28, 2006, the offender submitted a urine sample which tested positive for marijuana. When questioned by the probation officer, the offender denied using the drug, so the sample was forwarded to the laboratory for further analysis. On March 9, 2006, lab results confirmed that the offender tested positive for marijuana and subsequently provided false information to the probation officer concerning his drug use.

The offender subsequently failed to report the probation officer as instructed for urinalysis testing on March 14, March 22, and May 16, 2006.

- 4 The offender has violated the supervision condition which states **'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'**

The offender has not reported to the probation office since February 28, 2006, and he failed to report to the probation officer on March 14, March 22, and May 16, 2006. The offender is now viewed as having absconded from supervision.

I declare under penalty of perjury that the foregoing is true and correct.

By: Donald L. Martenz, Jr.
U.S. Probation Officer
Date: May 25, 2006

THE COURT ORDERS:

- ☐ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing:
☐ No Action
☐ Other

9/12/06 at 9:45 am

9/16/06 at 11:00 am


Signature of Judicial Officer

9/11/06

Date